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Thomas, James H

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Speech of ... 1861



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STATE OF THE UNION.

SPEECH

OF

HON. JAMES H. THOMAS, OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES, JANUARY 17, 1861.

The House being in the Committee of the Whole on the State of the Union—

Mr. THOMAS said:

Mr. CHAIRMAN: The object of our discussion in the House should be to promote the general welfare of the country. To effect that object, a harmonious feeling should predominate, if possible; but I must say that the character of the debate which has preceded has not been to my taste. Yet, sir, we must conform ourselves to the circumstances by which we are surrounded; and, with a view of discharging my duty, I desire to submit some remarks to the consideration of the committee, upon the subject which now so seriously engrosses public attention.

This question of slavery has ever been troublesome to this country. Yet our fathers were enabled to dispose of it, and to dispose of it in such a way as to secure, not only our liberties, but the establishment of a Government which has led to a happiness and prosperity of our people unexampled in the history of the human family. When the Declaration of Independence was framed, every State of this Union was a slaveholding State. They went through that war, and this troublesome question troubled not the council, the camp, or the battle-field. We conducted that war to a successful termination, and to the establishment of our independence. In process of time, when our convention assembled to establish a constitution, we had twelve slave States and but one free State. There was then in the northern mind a hostility to slavery.

We frequently hear from the other side of this Chamber, the position taken that they want to bring back this Government to the principles of its fathers. It would be well for those gentlemen who desire to effect that object, to look to the spirit which actuated those wise and patriotic fathers of ours while assembled in convention. What do we find them doing then? Why, sir, the slave trade was then in existence, and was tolerated by many of the States of this Union, and some southern States were averse to its abolition. We find that when the first rough draft of the Constitution was submitted for discussion, it gave Congress the power to abolish the slave trade any time after 1800. A proposition was then made

that that trade should be extended to 1808. Maryland and Virginia voted against that extension. A distinguished member of that convention from Connecticut (Roger Sherman) said that the southern States were essential for their welfare, and that they would rather tolerate the slave trade than part with two States—Georgia and South Carolina; and on a vote upon the proposition to extend the slave trade eight years, New Hampshire, Massachusetts, and Connecticut voted to give that extension, and, by their votes, the proposition was carried, and the slave trade extended eight years beyond the time to which some of the slave States contended it should be limited. And now what do we see upon this occasion? Not a single member from either of those three States will tolerate a southern State in removing one single one of those slaves, or their descendants, which were imported during those eight years, into any one of our Territories. But we pass on. We find that those fathers accommodated this matter among themselves; and they established a Constitution which has eminently served its purposes for nearly three quarters of a century.

What is the history of the Government afterwards? Your Washington, your first and greatest President, approved and signed bills to apprehend fugitive slaves, and to admit slave States into the Union. Your second President, John Adams, of Massachusetts, approved and signed a fugitive slave bill for the District of Columbia, and bills recognizing slavery in the southwestern Territory. Your Jefferson acquired the Territory of Louisiana, with its slave property, and he signed and approved a bill to regulate the coast slave trade, by which slaves were permitted to be taken from one section of the Union to another for sale. And, sir, every President up to the present hour has approved and signed bills in conformity to the views which are contended for upon the part of the South; and it is only within the last few years that this opposition to the institution of the South has advanced to its present formidable and threatening position. And why is it? It may be traced back to a morbid—pardon me, for I intend to say nothing intentionally offensive—but, in my judgment, it may be traced back to a morbid sensitiveness upon the part of the north-

ern mind upon this subject. This hostility to slavery at its origin attracted little attention at the North, and few gave countenance to it; but it gradually got into the school-houses, into the school-books, into the pulpit, and into all the various modes of education, and into all the means used in the formation of the moral sentiments of the people. It has been continued; and the present generation have been brought up and educated from the nursery in a feeling of hostility to this institution, which was thus tolerated by the fathers of the Revolution in every State of the Union. This system of education has gone on until a large majority of the people of the North have grown up to manhood under such influences.

And what is the result? It has formed political associations, and a political party which now proposes to take control of the Government of the country, and to do it upon the one single, isolated idea of hostility to southern institutions. In 1856, this party first assumed a prominent and threatening attitude toward the South. And what do we find them declaring upon that occasion? When they formed the Republican party, in 1856, they formed it without regard to past political differences and divisions. When they came to lay down their principles, they announced that as their cardinal doctrine. In that body we find men who had been Whigs, Democrats, and Americans; men who had belonged to all the political parties of the country; but all their past party predilections were to be laid aside, and the new party, without regard to them, was to be formed. It was so formed, and their declaration was:

"Resolved, That the Constitution confers upon Congress sovereign power over the Territories of the United States for their government, and in the exercise of that power, it is both the right and the duty of Congress to prohibit in all the Territories the twin relics of barbarism—polygamy and slavery."

In 1860 the same party again laid down their platform; which was as follows:

"8. That the normal condition of all the territory of the United States is that of freedom. That as our republican fathers, when they had abolished slavery in all our national territory, ordained that 'no person should be deprived of life, liberty, or property, without due process of law,' it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the Constitution against all attempts to violate it; and we deny the authority of Congress, of a Territorial Legislature, or of any individuals, to give legal existence to slavery in any Territory of the United States."

When that party, in 1860, in convention, came to look out for a representative of the principles which they intended to inaugurate in the Government, provided they succeeded, it looked all over the country for such an individual. The two most prominent and eminent men who presented themselves for that nomination were Hon. Mr. Seward, of New York, and Mr. Lincoln, of the State of Illinois. Upon the first ballot Mr. Seward received a large plurality of the votes. But he was not nominated; and Mr. Lincoln was finally unanimously nominated and elected by that party; and it is now openly declared to the country that the former gentleman, Mr. Seward, is to be the prime minister of Mr. Lincoln, the successful candidate of the Republican party for President. These gentlemen owe their elevation

to office to their opposition to southern institutions. They were selected and voted for, not for personal predilections, but for their devotion to the doctrines which they were known to have advocated, and for opinions they were known to entertain.

Now, I call the attention of the committee and of the country to what, in brief, these opinions were. Mr. Seward declares:

"Slavery can be limited to its present bounds; it can be ameliorated; it can be, and it must be abolished, and you and I can and must do it. The task is as simple and easy as its consummation will be beneficial, and its rewards glowing. It only requires to follow this simple rule of action: to do everywhere and on every occasion what we can, and not to neglect or refuse to do what we can, at any time, because at that precise time, and on that particular occasion, we cannot do more. Circumstances determine possibilities." * * * * "Extend a cordial welcome to the fugitive who lays his weary limbs at your door, and defend him as you would your paternal gods."

"Correct your own error that slavery has any constitutional guarantees which may not be released, and ought not to be relinquished." * * * * "You will soon bring the parties of the country into an effective aggression upon slavery."

Again, he declares:

"What a commentary upon the history of man is the fact, that eighteen years after the death of John Quincy Adams, the people have for their standard-bearer Abraham Lincoln, confessing the obligations of the higher law, which the sage of Quincy proclaimed, and contending, for weal or woe, for life or death, in the irrepressible conflict between freedom and slavery. I desire only to say that we are in the last stage of the conflict, before the great triumphal inauguration of this policy into the Government of the United States."

Now, sir, Mr. Seward was the highest candidate on the first ballot, and is to be the prime minister of the incoming Administration. We now come to the declaration of the candidate who was ultimately nominated unanimously by that convention. What does Mr. Lincoln declare? And it is such declarations as these that have given him his present high position in the country. He says:

"What I do say is, that no man is good enough to govern another man *without the other man's consent*. I say this is the leading principle, the *SHEET ANCHOR* of *American Republicanism*."

Again, in Chicago, on the 10th of July, 1858, he said:

"I should like to know if, taking the old Declaration of Independence, which declares that all men are equal upon principle, and making exceptions to it, where will it stop? If one man says it does not mean a negro, why not another say it does not mean some other man? If that declaration is not the truth, let us get the statute-book in which we find it, and tear it out. Who is so bold as to do it? If it is not true, let me tear it out. [Cries of 'No! No!'] Let us stick to it, then; let us stand firmly by it, then." * * * * "Let us discard all this quibbling about this man and the other man—this race and that race and the other race being inferior, and therefore they must be placed in an inferior position—discarding the standard that we have left us. Let us discard all these things, and unite as one people throughout this land until we shall once more stand up declaring that all men are created equal." * * * * "I leave you, hoping that the lamp of liberty will burn in your bosom until there shall no longer be a doubt that all men are created free and equal."

Now, sir, here we have placed before us the ground on which this candidate was presented for election. And what is it? It is not that he either favored or was opposed to a protective tariff; not that he was for one policy or the other, dis-

connected with slavery. I ask you whether, if there had been no slaves in the United States, and if he had entertained similar opinions about slavery in Cuba or Brazil, would such opinions ever have been considered when the nomination came to be made? No, sir, that nomination was made solely, mainly, and particularly, on the ground of hostility to slavery. It is one of his open declarations that he hates slavery as bad as any Abolitionist. It was that very hatred which gave him the confidence of the party that has elected him to power.

Then, how do we stand? Here is a party composed of men of the northern States alone, of whom not one single individual owns a slave; and probably not one twentieth of those who voted for Mr. Lincoln ever saw a slave. They have none of the evils or advantages of that institution among them. And yet they chose Mr. Lincoln for his opinions in regard to an institution with which they have no connection, and in which they have no practical interest. He was selected because of his hatred to slavery. In other words, he was selected, not for any particular views of policy that he has in regard to northern institutions or northern interests, but because of the views which he entertains in regard to southern interests. He was elected, not to govern the North, but to govern the South: to govern a portion of the Union in which he has no party, and where there is no respectable portion of citizens who, for a moment, tolerate his election to office on such principles. So far as the South is concerned, we of the South have had no more to do in the election of Mr. Lincoln than we have had to do with the election of the Emperor of France. He is to us a foreign ruler. He is elected by men who have no sympathy with us, who are hostile to our great interests.

I submit to the consideration of every candid mind, if any court on earth would appoint a guardian over a property where the application was made for the sole purpose of destroying the estate; where the applicant was hostile to the interest of which he desired to have the control, and, only sought the trust for its destruction; is there a court on earth, claiming to know what equity and justice is, who would for a moment think of appointing him? And yet you are determined to place the guardianship of the rights of the South on the slavery question, in the hands of men who come here declaring their hostility to slavery, and claiming the right to take charge of that institution to which they are hostile, and on the destruction of which they are determined. I submit to the consideration of this committee, and of the country, whether it is an American principle, that the party who has no interest in the subject-matter should select a guardian for it, and choose him from among those hostile to it?

But it may be said that our Government is one of majorities. True: in one sense it is. Government of majorities. But Mr. Lincoln has only a bare majority of the electoral vote; and when you come to examine the record of the great popular voice of the people of the United States, you will find that he is nearly a million in the minority. Thus, by nearly a million minority of votes, has

Mr. Lincoln been elected to the office of President of the United States.

Again, sir; this idea of majorities governing ought to be limited to the people who are interested in the subject. The people of Massachusetts or the people of Virginia might well submit a subject to the will of their respective States, and be governed by the majority; but the principle does not hold good where the question is submitted to those who have no interest whatever in it.

Upon the subject of slavery, or any local interest of the South, I maintain that if majorities in the North, or if every man in the North, were in favor of hostile legislation, it would be anti-American, and contrary to all the principles of our Government for them to assume to govern such local institution, and especially to govern it in such a way as to bring about its destruction. Why is it that the northern people have felt it incumbent on them to join in a crusade against this institution? We are often told that the slave power has had the control of the Government; but I maintain that the Government has not been controlled with a view to promote slavery, or in opposition to slavery; and that is the view in which the South has never maintained the Government should be controlled. But slavery is a living, existing interest in the country, and should share the common weal or common woe of the country, like other great interests.

I submit to the committee and to the country, what reason can be given, from a review of history, for so bitter a contest against this institution of the South? Has slavery made such rapid strides since the foundation of this Government as to alarm those philanthropists, if philanthropists they be? At the time of the treaty of peace in 1783, the States now called southern owned territory to the extent of 638,016 square miles, and the northern States 169,662; or the South owned 468,354 square miles more than the North. Virginia ceded territory to the extent of 239,558 square miles, and excluded slavery therefrom; thus giving the North 409,220, and reducing the South to 398,458 square miles. The South was then strong, and the North was weak. How has that generosity and magnanimity been requited? How is it now proposed to be requited by the northern States? The very States of the Northwest, of the territory thus generously ceded by the State of Virginia, are this day enlisted in the ranks of our adversaries; and a large majority of their Representatives on this floor are voting and acting to-day with the party that is attempting to deprive the old mother Commonwealth, the mother of those States, of any right in the Territories that have been subsequently acquired, although they were acquired by the joint blood and treasure of Virginia with all the States.

But, sir, let us follow out that idea: By the Louisiana purchase, we acquired 1,136,496 square miles. Of this the North has secured 977,602 square miles, and the South 333,624—the North acquiring 643,978 square miles more than the South.

By the Florida purchase, the South acquired 59,268; and by the annexation of Texas, 274,356;

total by these last two acquisitions, 333,624 square miles.

By the Mexican treaty, the total acquisition is 665,486 square miles. Of this the North has California, containing 188,981 square miles, leaving 476,505 square miles in New Mexico and Utah to be settled. And the present effort of your party is to exclude the South from the whole of this; while the South only asks equality in it. And, sir, I may remark, in relation to that territory, that it is the most barren, bleak, mountainous, and unproductive territory that this Government has ever acquired. The soil and climate of that territory are such that your own distinguished Daniel Webster declared that slavery could never go there; that the law of nature prohibited it; and that, to enact the Wilmot proviso in regard to it, would be only to re-enact the law of God.

I will refer again to the statistics that I have collected from the report of the Commissioner of the Land Office:

	Square miles.
In 1783 the South owned.....	638,016
Virginia ceded.....	<u>239,558</u>
Leaving the South but.....	398,458
From the Louisiana purchase the South acquired but.....	158,896
Florida.....	59,268
Texas	<u>274,356</u>
Present South.....	899,978
Total increase of the South.....	<u>252,962</u>
In 1783, the North had.....	169,662
Virginia cession.....	<u>239,558</u>
Louisiana purchase	977,602
Mexican treaty.....	<u>188,981</u>
	1,575,803
Total increase of the North since 1783.....	<u>1,406,141</u>

In seventy-six years the South has gained but 252,962 square miles, and the North, in the same period, has gained 1,406,141 square miles. The South has increased her limits about 33 per cent., while the North has extended near 1,000 per cent. In 1,217,160 square miles of the territory thus acquired by the North, slavery existed by law, but is now abolished. Of the small amount acquired by the South, it was all slave territory when acquired, and so remains.

That is the history of the progress of the two sections. Where, then, is there the slightest pretext of our northern friends for one moment entertaining the belief that slavery is to be spread all over the country. This idea that the South, or the Democratic party, or any party at the South, are slavery propagandists, by and through the Federal Government, is a mistake, and northern politicians have misled the public mind of the North when they have attempted to promulgate such an idea. The only position taken by any party in the South is, that we of the South are equals in this Union, and that when Territories are acquired our citizens have the right, under our Constitution, to go there, and that no power short of the people of the Territories themselves can at any time exclude them from this right. There is some division among us as to when the people of

a Territory should act—whether they should do it while in a territorial capacity, or whether they should wait until they form a State constitution; but all agree that there is no power which can exclude the South from her rights in a Territory but the people who settle that Territory. We are in favor of the largest liberty to the people to go to the Territories that are acquired by the common blood and the common treasure of all the States and of all the citizens of all the States, and to stand upon a perfect equality in relation to their rights in those Territories.

What objection can the North have to that? It is not that slavery will go up North. Every man who knows the character of the northern people, knows that they look well to their own interests, and they have abolished slavery in the northern States; and in doing that, they have shown by their example that there is no fear that slavery will ever go where it is unprofitable. This being so, why is it that there is this hostility in the public mind at the North against this institution of slavery? Sir, they have got ingrafted on their minds an idea that slavery is sinful, and that this Government is responsible for the sin of slavery, if it be tolerated. Doubtless a large majority of the people of the North are devoted to the Constitution of this country, and are willing to give us our constitutional rights, if they were not misled upon this subject. In my humble judgment they have been, whether intentionally or not, grossly misled. They have been taught that the Constitution of the country does not recognize the right of property in man, and that if slavery is permitted to go into any of the Territories it will make them accessory to this great sin of slavery. Why, sir, we must look to the circumstances that attended our Declaration of Independence, and the formation of this Constitution. The ships of the North and of the South were then engaged in the African slave trade. They were going to Africa, and there buying or kidnapping negroes, and bringing them to the United States, and selling them to the citizens of the Union as slaves. A proposition was made to abolish that trade, or to give Congress the power to abolish it; but the North, the States of Massachusetts, Connecticut, and New Hampshire, said that they wanted the trade extended, at least until 1808; thus giving them twenty years more to bring this species of property to the United States, sell it, and pocket the profits of the sale. It was the idea entertained then, universally. Nobody thought of any thing else than that they were legally bought and sold as property.

But, sir, when you came to organize the Mississippi Territory, you put in your bill, that any man being the owner of a slave might take that slave into that Territory and there reside. And every Administration from that day to this, and every President of the United States, has recognized the same idea. Congress has again and again recognized it, and directed slaves to be paid for as property. Your treaties have recognized it. And, sir, not only that, but your courts have again and again recognized it. Your Government in all its branches, executive, legislative, and judicial, have been treating slaves as property up to

this good hour. And now, when an individual pursues his slave into the State of Ohio, if you please, and apprehends him, by what right does he apprehend him? Why, under the right to the service and labor of the slave. That is technically the right under the language employed by the Constitution; but what does it mean? It matters not whether the individual who has escaped owes service for a day, for a year, or for life; he is subject to be delivered up when fugitive from his master. Upon what other ground has the master the right to reclaim his slave who has escaped into another State, unless it be a right conceded under the Constitution, that he has the sole and exclusive control over the services of the slave to as full an extent as he has over any other species of property, real or personal, not inconsistent with the laws of humanity?

The gentleman from Ohio, [Mr. STANTON,] the other day, contended before this House that the admission that slaves were property would involve us in interminable difficulties. Why? He objected to the admission of the right; for the reason, among others, that, if a man in *transitu* through a free State with his slave should die, and die indebted to the citizens of such free State, an administrator in such State could not inventory the slave as property, or subject him to the payment of such indebtedness. Why, sir, if the gentleman from Ohio had reflected upon the result of that provision of the Constitution relating to fugitive slaves, according to his own construction of it, he would have seen that the same difficulty might occur. Suppose a slave escaping from Kentucky into Ohio is pursued and apprehended by his master, but before his return his master dies, owing debts in that State; the slave could not be sold there; a writ of *fieri facias* could not reach him; but he could be taken back to Kentucky, and there be sold in the market. Suppose the slave escapes, and is apprehended by his owner in a free State, where the master dies: surely his personal representative—his heirs or administrators—would have the right to carry him back, and apply the proceeds of his sale to the debts of his deceased owner.

But again: the gentleman from Ohio says, suppose the master, while in *transitu* through a free State, kills his slave, or his slave kills him: what is then to be done? Precisely the same difficulty would arise in case the owner of a fugitive slave, having apprehended him in a free State, should, while returning, in the exercise of his authority, kill, or be killed by the slave. The gentleman's State should provide for such a contingency; and if they have not legislated upon the subject, it is not my fault.

And so in respect to all the difficulties which our friends of the North find growing out of the recognition of the right of property in slaves. There are no difficulties which did not exist in the minds of our fathers who framed the Constitution, and which were not fully met by them in the instrument framed by them, with the intention of compromising and settling them upon principles having respect to the rights of all the States of the Union.

Now, sir, when we look at the history of this

country and see its progress; when we see the difficulties which have from time to time come up and been settled by the wisdom of our fathers, is it not strange that our friends in the North should unite in such numbers upon an issue that has so little in it, affecting not only their own welfare, but the welfare of the whole country? Why, sir, if we are permitted to take our slaves into the common Territories of the country, it does not add a single one to the number; it does not bring another slave within the limits of the United States. It only authorizes the master to change his location; it does not bring him nearer to you. Most likely it will have the effect of removing him further from those gentlemen from the North who represent that section upon this floor. But gentlemen tell us they want these Territories for free labor. Mr. Chairman, I submit that there is much in the conduct of this party at the North calculated to break up and forever destroy that feeling of friendship which once existed, and must again exist before we can sustain a united Government. The Territories of the Government are the common property of all the States. No man will say that the South has failed to contribute her share in their acquisition, whether it be in cash or blood. No man can say it.

Then why should we not have a common right to that territory? What are you gentlemen of the North indicating by your policy in this House? It is not to secure the territory for your own children. You do not expect to populate it by your own offspring; certainly not in the present day. You have, during the present session, passed a bill giving an inheritance in that territory not only to your children, but to the children of every man in the world who chooses to go there, to the children even of the Hessian, who, for a price, fought against our fathers in the war of the Revolution; while you refuse to permit the descendants of General Green, or of any of the heroes of the Revolution in the South, to go there and take their property with them.

Call you this fair dealing? Is this loyalty to us or to the memories of the Revolution? Is it that spirit that actuated the framers of the Constitution, when they, compromising all the difficulties before them, framed the Government under which we have grown up and existed as a nation so long and so prosperously?

Sir, these difficulties are continually thrown in our way. A determined disposition is manifested to take that territory from us, to circumscribe us within our present limits; while they will permit homesteads to be granted to the descendants of our former enemies, and will populate it with men who cannot even speak our language, and to whom they should be bound by no stronger ties of affection than they should be to the men of the South, who shared in all the dangers and hardships of its acquisition.

I have no hostility to foreigners; but, sir, when I see the legislative bodies of my country legislating with a view to give them precedence over the descendants of the revolutionary sires of the South, I feel that it is time for us to speak out—to demand at least the rights of the people of the South. There can be nothing wrong in that.

We do not claim any exclusive right in any of the Territories. We only claim the same right in those Territories that are secured to the people of the North. We demand nothing more; we can submit, sir, to nothing less. We do not ask to exclude one of the northern people, or any species of property possessed by the northern people. But you propose to exclude us, unless we divest ourselves of our household servants—a property which is endeared to us from our earliest recollections, and for which we have higher regard than for any other species of our property. The relations which exist between the master and servant create a sympathy unlike that which you feel for your homestead and your farm horses and wagons. It is a kind of friendship. It is a devotion of fellow-feeling characteristic of that institution, which never has been, and which I fear never will be, justly appreciated by the North. They are a part of us. They sympathize with us, and we sympathize with them. Our rights are their rights; and when we prosper, they prosper. If we can go to a country where we can do better than where we are, the slaves that go with us are bettered in an equal proportion with ourselves. Hence, sir, it is that we claim all the rights of equality in this Union.

But, Mr. Chairman, the time has gone by for the discussion of this question at length. We have passed from theories and come to facts. Such has been the character of the dealings of the North toward the South—all of which I have not the time, in the few minutes left me, to refer to—that the South feels her rights are no longer safe in this Government without some new guarantees for their protection. Under that feeling, four States have already seceded from the Union; and, sir, probably while I am addressing this committee, the fifth will take its leave of us. These are the facts that stare us in the face. Disunion has taken place. Many of the great minds of the South have taken the ground that the right of secession is a right over and above the Constitution—but a right recognized by the peculiar manner in which that instrument was framed. I have not the time on this occasion, nor do I think the great body of the South are going to take time to investigate the very nice and very able legal arguments made on this subject. We go back to first great principles. It is enough for the people of the South to look to the Declaration of Independence. We believe that—

"When a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future safety."

The ground is taken here, that we cannot and will not be permitted to secede peacefully from this Union. If the action in the Senate yesterday means anything, it means that. This thing of secession is not to be permitted. The Army and the Navy are to be employed against us. The money appropriated in the bill now before us—the Army appropriation bill—is to be used for the purpose of sending troops to the South, with a view to the coercion of seceding States, and the pinning of this Union once more together by the

bayonet of Federal troops. I will submit an extract from the letter of acceptance of Hon. Edward Everett, a distinguished citizen of Massachusetts. He is entitled to respect. His opinion, at least, will show the opinions and feelings of the party which supported him. He says:

"The suggestion that the Union can be maintained by the numerical predominance and military prowess of one section, exerted to coerce the other into submission, is, in my judgment, as self-contradictory as it is dangerous. It comes loaded with the death-smell from fields wet with brothers' blood. If the vital principle of all republican government 'is the consent of the governed,' much more does a union of coequal sovereign States require, as its bases, the harmony of its members and their voluntary cooperation in its organic functions."

Mr. Chairman, the people of the South regard that as the true doctrine. They believe that this is a Government founded in the consent of the people governed; and that all efforts made to coerce a sovereign State will be deemed an attack upon the great body of the South. Whenever such efforts are made, I venture to say—and with no desire to indulge in boasting; it is my solemn conviction—that every State from this to the Rio Grande will unite as a band of brothers, and as a band of brothers will resist to the last; resist any and every blow struck against a seceding State to compel her to remain in the Union.

Mr. Chairman, we regard the Constitution of the United States as the casket in which our forefathers deposited the jewels of justice; of the insurance of domestic tranquillity; of provision for the common defense; the promotion of the general welfare, and the security of the blessings of liberty to ourselves and our posterity. Those were the jewels deposited in the casket. When you rifle it of these treasures, do you suppose that eulogies upon the glorious Union will attach the people and the States of the South to it? No, sir; they will dash it from them as an unholy thing. It is the treasure that gives it value, and not that in which the treasure is contained.

But I have heard the idea frequently thrown out that you do not mean to make war upon the seceding States; that all you mean to do is, to let them do without the United States courts and post offices. It is declared that this Government will let the seceding States do without the advantages of this Union, while they will be compelled to pay their share of the revenue. That is the sort of coercion which George III attempted to put in force against the revolted American colonies. He made war upon them for no other purpose but to compel them to pay the tea tax and the stamp duty. Is such a war consistent with the principles of American freedom? If so, then you can prosecute your war for the purpose of collecting the revenue, and yet use no coercion. Suppose the Constitution of the United States made it the especial duty of the Government to coerce every State that was not willingly subject to its control: what would you do? You would only enforce the law; the very thing, sir, you now claim that you will do, and yet you will not coerce.

Mr. Chairman, let this thing be attended to; not that I invite it, but let it be attended to; or who can imagine the terrible consequences that must result? Is it not known that one, five, or fif-

teen States cannot be conquered and held in subjection? It cannot be done; nor do I claim that we can conquer the North. What did it cost this Government to get fifteen hundred Seminole warriors out of the everglades of Florida? We expended more than thirty million dollars out of the public Treasury in that little war; and now, when you talk of conquering States, the whole arithmetic fails in figures to count the cost that will follow the attempt. I submit this, not as a threat, but as the plain consequences of an act of this character. If such policy as this is to result in no good to any portion of the Union, but in interminable evil, I submit, why is it necessary or expedient? And let me say, here, that all that is said or done upon this subject of conquering, or using force, or coercion, but adds fuel to the flame through the whole South. If this Government had manifested a more peaceable disposition, and had, from the commencement of this excitement, proclaimed through Congress that no force would be used, I believe that not more than one State would have been out of the Union at this time. We should have had more time for a settlement of these difficulties.

The remedy, if remedy there be, is in conciliation. Read, if you please, your writers upon the subject of national law, and they universally concur in the idea that the true and proper mode of putting down civil war is to grant to the people what they ask. And what has the South asked which should not be granted? She has never come into the Congress of the United States and asked for the passage of a law favoring and establishing slavery upon any portion of the continent. She has only asked that all the rights we have shall be protected by the Government. We do not get rights from this Government. We have them over and above the Government. The Government does not create rights, but only protects them. Governments are established to protect rights; and we only ask that Congress shall pass laws to protect rights which we already possess.

If this matter is to be settled—and possibly it yet may be—it must be done by a concession. And what do you yield? What do our northern friends yield? Nothing; absolutely nothing. They will have the same rights in the Territories which we will have. The feeling all over the South is, "equality in the Union, or independence out of it." That is the watchword. That is the feeling of our people of all sections, so far as my information extends.

My constituents have not been, nor have I been, for secession. We have hoped for safety in the Union; and have desired that all means to effect that end shall be exhausted before a resort is had to disunion. But while we waited for your returning sense of justice towards us, disunion has overtaken us; four, and perhaps five, States have seceded; and the forts and arsenals, from

North Carolina to the Rio Grande, are nearly all in possession of the seceding States. We can be content with no adjustment that will not unite the South with us. The southern States have a common interest and a common destiny.

You censure the southern States for their precipitancy. Upon this subject we of the border slave States have more reason to complain than you. They and we have told you for years, in the most solemn manner, that we could not submit to your aggressions, and entreated you to forbear; yet you have not heeded, but have insulted us and told us that it was with us mere boastfulness.

You complain that the seceding States have seized the forts and other public property. These forts were permitted to be erected in these States for their defense, and the arms that have been taken were placed there for the same purpose. The Federal Government has no right to use this property for any other purpose. And whenever the people who had granted the sites of the forts for their defense discovered that they were to be used for the opposite purpose—an attack upon them—it was not only just, but wise, for them to see that they were used for their defense, the legitimate purpose for which they were erected.

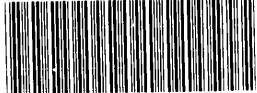
You complain that Florida and other States were purchased and paid for, and that they cannot, therefore, secede. Gentlemen are surely for reviving the doctrines of the dark ages of the common law, by which they would make the inhabitants of the purchased territory *villains in gross*; attached to the freehold, and bought and sold with it. Florida cost \$5,000,000. Every State of the old thirteen was purchased. They cost the blood of the Revolution—a price greatly above that paid for our subsequent acquisitions. In all the treaties acquiring territory, we have stipulated for their admission as States upon terms of equality with the original States. This fact at once answers this objection. The States, new and old, are equal in rights in every particular.

You could have quieted the country, and restored peace and prosperity, at no sacrifice but the yielding of your prejudices. We cannot, without ruin and dishonor, In the language of a distinguished southerner:

"We may for a generation enjoy comparative ease, gather up one foot in our beds, and die in peace; but our children will go forth beggared from the homes of their fathers. Fishermen will cast their nets where your proud commercial navy now rides at anchor, and dry them upon the shore now covered with your bales of merchandise. Sapped, circumvented, undermined, the institutions of your soil will be overthrown; and within five and twenty years the history of St. Domingo will be the record of the South. If dead men's bones can tremble, ours will move under the muttered curses of sons and daughters, denouncing the blindness and love of ease which have left them an inheritance of woe."

This calamity we will avert; peacefully if we can, forcibly if we must.

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